

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI

ARC CONTROLS, INC.,

Plaintiff,

v.

M/V NOR GOLIATH, *in rem*, and  
GOLIATH OFFSHORE HOLDINGS  
PTE. LTD., *in personam*,

Defendants.

CASE NO.: 1:19-cv-391-LG-RHW

IN ADMIRALTY

**COMPLAINT**

The complaint of Arc Controls, Inc. (“Arc”), *in rem*, against the motor vessel NOR GOLIATH, Official Number 9396933, its masts, boilers, cables, engines, machinery, bowsprits, sails, riggings, bolts, anchors, chains, tackle, apparel, furniture, fittings, tools, pumps, equipment and supplies, and all other appurtenances, accessories, additions, improvements, and replacements now or hereinafter belonging thereto, whether or not removed therefrom, all of which shall be deemed to be included in the term “Vessel” herein, in a cause, civil and maritime, for the foreclosure of a maritime lien thereon, and alleges on information and belief as follows:

1. At all times hereinafter mentioned, Plaintiff, Arc, was and is an Alabama corporation with its principal place of business in Mobile, Alabama.

2. At all times hereinafter mentioned, Defendant Goliath Offshore Holdings Pte. Ltd. (“Goliath”), was and is a Singaporean corporation with its principal place of business in Singapore.

3. At all times hereinafter mentioned, Defendant, M/V NOR GOLIATH, Official Number 9396933, is and was a Vessel documented pursuant to the laws of the Marshall Islands.

4. On information and belief, the motor vessel NOR GOLIATH is now within the Southern District of Mississippi , and in the jurisdiction of this Honorable Court.

5. Jurisdiction is founded upon Section 1333 of Title 28, United States Code, and Section 31325 of Title 46, United States Code, as amended and supplemented. This is an admiralty and maritime claim within the meaning of Rule 9(h), *Federal Rules of Civil Procedure*.

#### **FIRST CAUSE OF ACTION**

6. On or about February 25, 2019, Epic Companies, LLC (“Epic”), on behalf of Goliath, issued Purchase Order No. 32583 to Arc requesting certain repairs and necessities for the M/V NOR GOLIATH. A true copy of the Purchase Order is attached hereto as Exhibit “A” and incorporated herein by reference.

7. Arc commenced work on the repairs and provided the necessities to the M/V NOR GOLIATH as requisitioned in the Purchase Order. Beginning in April 2019, Arc issued invoices for the work performed and expenses incurred in accordance with Epic’s instructions. A true copy of said invoices is attached hereto as Exhibit “B” and incorporated herein by reference.

8. Demand has been made on Goliath to pay the indebtedness evidenced by the aforesaid invoices, and Goliath has failed and refused to pay the same. The amount now due on said invoices to Plaintiff is in excess of \$153,101.59.

9. There are no other complaints filed against said Vessel in this court to the Plaintiff’s knowledge.

WHEREFORE, the premises considered, the Plaintiff prays as follows:

A. That process in due form of law, according to the course and practice of this Honorable Court in causes of admiralty and maritime jurisdiction, may issue against the said M/V NOR GOLIATH, together with all masts, boilers, cables, engines, machinery, bowsprits, sails, riggings, bolts, anchors, chains, tackle, apparel, furniture, fittings, tools, pumps, equipment and supplies, and all other appurtenances, accessories, additions, improvements, and replacements now or hereinafter belonging thereto, whether or not removed therefrom, and that all persons claiming interest in said Vessel may be cited to appear and answer the matters aforesaid, and that said Vessel may be condemned and sold to pay the demands and claims aforesaid, with interest and costs, and to pay any and all other amounts required to be paid to the Plaintiff, with interest, fees, and costs, and that Plaintiff may have such other and further relief as in law and justice it may be entitled to receive.

/s/ H. Finn Cox, Jr.

H. Finn Cox, Jr. (MS Bar No. 104750)  
*fcx@maynardcooper.com*

Attorney for Plaintiff, Arc Controls, Inc.

OF COUNSEL:  
MAYNARD, COOPER & GALE, P.C.  
RSA Battle House Tower  
11 North Water Street, Suite 24290  
Mobile, Alabama 36602  
(t) 251.432.0001  
(f) 251.432.0007

**Exhibits:**

A – Purchase Order  
B – Invoices

Please arrest the Vessel as follows:

M/V NOR GOLIATH

Address: Lying afloat at:

Port of Gulfport, Mississippi  
1000 30th Avenue, South Extension  
West Pier Terminal  
Gulfport, Mississippi 39501

**VERIFICATION**

STATE OF ALABAMA

COUNTY OF MOBILE

Lucian Lott, being duly sworn, deposes and says:

I am the President of the Plaintiff herein. I have read the foregoing complaint and note the contents thereof and that same is true to the best of my knowledge, information, and belief.

Lucian Lott

SUBSCRIBED AND SWORN TO  
before me on this 12<sup>th</sup> day of  
July, 2019.

Beth Rogers  
NOTARY PUBLIC  
State of Alabama  
My Commission Expires: \_\_\_\_\_

**BETH ROGERS**  
NOTARY PUBLIC, ALABAMA STATE AT LARGE  
MY COMMISSION EXPIRES APR. 22, 2023

